



# **COMMONWEALTH of VIRGINIA**

*Office of the Attorney General  
Richmond 23219*

**Robert F. McDonnell**  
Attorney General

900 East Main Street  
Richmond, Virginia 23219  
804 - 786 - 2071  
804 - 371 - 8946 TDD

## **MEMORANDUM**

**To:** Charles S. Reed  
Associate Director, Policy and Instruction  
Virginia Department of Human Resource Management

**From:** Guy W. Horsley, Jr.  
Special Assistant Attorney General

**Date:** August 27, 2008

**Subject:** Letter of Assurance for Repealing DHRM Public Participation Guidelines 1VAC-55-10-10 through 1VAC55-10-110 and Adopting 1VAC55-11-10 through 1VAC55-11-110

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I have reviewed the proposed repeal and adoption of regulations of the Department of Human Resource Management ("DHRM") (referenced above) regarding the Public Participation Guidelines relating to DHRM's development, amendment or repeal of regulations. In my view, as counsel to DHRM, the Department has authority to promulgate regulations pursuant to *Code of Virginia* §2.2-1201, -1204 and -2818. Further, these actions are necessary to comply with Chapter 321 of the 2008 Acts of Assembly. The proposed regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.

